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August 24, 2021

By ECF

The Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Fraser v. City of New York, et al.*
No. 20-cv-4926 (CM)

Dear Judge McMahon:

My firm represents Plaintiff, Jawaun Fraser, in the above-referenced § 1983 action. I am writing to explain the changes in the amended complaint that Plaintiff just filed with the written consent of defendants under Fed. R. Civ. P. 15(a)(2).

The first amended complaint eliminates the fifth cause of action, a *Monell* claim against the City of New York for the Manhattan District Attorney's alleged *Brady* violations, in light of discovery. Plaintiff has also made some minor changes to the complaint to conform the pleadings to the evidence and to clarify his theory of *Monell* liability against the City of New York for the NYPD's alleged *Brady* violations (the fourth cause of action). These amendments are intended to streamline and clarify the issues for motion practice and, eventually, trial. They should not delay the proceedings. The City has agreed to answer the amended complaint within two business days, and the parties do not anticipate at this time requesting any changes to the court-ordered schedule for the joint pretrial order or dispositive motions.

Respectfully submitted,

/s/

Matthew A. Wasserman

cc: All counsel (by ECF)